

119 transfer, in a separate section or document accompanying the amendment to the town's budget:

120 (i) the enterprise fund from which money is intended to be transferred; and

121 (ii) the specific enterprise fund information for that enterprise fund;

122 (c) provide notice of an enterprise fund hearing, as required in Subsection (4); and

123 (d) hold an enterprise fund hearing before the adoption of the town's budget or, if

124 applicable, the amendment to the budget.

125 (4) (a) At least seven days before holding an enterprise fund hearing, a governing body  
126 shall:

127 (i) provide the notice described in Subsection (4)(b) by:

128 (A) mailing a copy of the notice to users of the goods or services provided by the

129 enterprise for which the enterprise fund was created ~~§~~, if the town regularly mails users a  
129a periodic billing for the goods or services ~~§~~ ;

129b ~~§~~ **(B) emailing a copy of the notice to users of the goods or services provided by the**  
129c **enterprise for which the enterprise fund was created, if the town regularly emails users a**

129d **periodic billing for the goods or services; ~~§~~**

130 ~~§~~ **(C) ~~§~~ posting the notice on the Utah Public Notice Website created in**  
130a **Section [63F-1-701](#);**

131 and

132 ~~§~~ **(D) ~~§~~ if the town has a website, prominently posting the notice on the town's**  
132a **website**

133 until the enterprise fund hearing is concluded; and

134 (ii) if the town communicates with the public through a social media platform, publish  
135 notice of the date, time, place, and purpose of the enterprise fund hearing using the social  
136 media platform.

137 (b) The notice required under Subsection (4)(a)(i) shall:

138 (i) explain the intended transfer of enterprise fund money to another fund;

139 (ii) include specific enterprise fund information for each enterprise fund from which  
140 money is intended to be transferred;

141 (iii) provide the date, time, and place of the enterprise fund hearing; and

142 (iv) explain the purpose of the enterprise fund hearing.

143 (5) (a) An enterprise fund hearing shall be separate and independent from a budget  
144 hearing and any other public hearing.

145 (b) At an enterprise fund hearing, the governing body shall:

146 (i) explain the intended transfer of enterprise fund money to another fund;

147 (ii) provide enterprise fund accounting data to the public; and

148 (iii) allow members of the public in attendance at the hearing to comment on:

149 (A) the intended transfer of enterprise fund money to another fund; and

150 (B) the enterprise fund accounting data.

151 (6) (a) If a governing body adopts a budget or a budget amendment that includes or is  
 152 based on a transfer of money from an enterprise fund to another fund, the governing body shall:

153 (i) within 60 days after adopting the budget ~~§~~→ [ ] or budget amendment: ~~←~~§

153a ~~§~~→ (A) ~~←~~§ mail ~~§~~→ a notice ~~←~~§ to users of the goods or services

154 provided by the enterprise for which the enterprise fund was created ~~§~~→ [a notice that:

155 ~~—— (A) announces the adoption of a budget or budget amendment that includes or is based~~

156 ~~on a transfer of money from an enterprise fund to another fund; and~~

157 ~~—— (B) includes the specific enterprise fund information;] , if the town regularly mails users a~~  
 157a periodic billing for the goods or services; and

157b (B) email a notice to users of the goods or services provided by the enterprise for which  
 157c the enterprise fund was created, if the town regularly emails users a periodic billing for the  
 157d goods or services; ~~←~~§

158 (ii) within seven days after adopting the budget or budget amendment:

159 (A) post enterprise fund accounting data on the town's website, if the town has a  
 160 website;

161 (B) using the town's social ~~§~~→ [media] media ~~←~~§ platform, publish notice of the  
 161a adoption of a budget

162 or budget amendment that includes or is based on a transfer of money from an enterprise fund  
 163 to another fund, if the town communicates with the public through a social media platform; and

164 (iii) within 30 days after adopting the budget, submit to the state auditor the specific  
 165 enterprise fund information for each enterprise fund from which money will be transferred.

165a ~~§~~→ (b) A notice required under Subsection (6)(a)(i) shall: ~~←~~§

165b ~~§~~→ (i) announce the adoption of a budget or budget amendment that includes or is based on  
 165c a transfer of money from an enterprise fund to another fund; and ~~←~~§

165d ~~§~~→ (ii) include the specific enterprise fund information. ~~←~~§

166 ~~§~~→ ~~[(b)]~~ (c) ~~←~~§ The governing body shall maintain the website posting required under  
 166a Subsection

167 (6)(a)(ii)(A) continuously until another posting is required under Subsection (4)(a)(i)(C).

168 Section 3. Section **10-6-135** is amended to read:

169 **10-6-135. Operating and capital budgets.**

170 (1) (a) As used in this section, "operating and capital budget" means a plan of financial  
 171 operation for an enterprise fund or other required special fund that includes estimates of  
 172 operating resources, expenses, and other outlays for a fiscal period.

274 (ii) the percentage of the total enterprise fund expenditures represented by each transfer  
 275 to another fund.

276 (2) Subject to the requirements of this section, a city may transfer money in an  
 277 enterprise fund to another fund to pay for a good, service, project, venture, or other purpose  
 278 that is not directly related to the goods or services provided by the enterprise for which the  
 279 enterprise fund was created.

280 (3) The governing body of a city that intends to transfer money in an enterprise fund to  
 281 another fund shall:

282 (a) provide notice of the intended transfer as required under Subsection (4);

283 (b) clearly identify in a separate section or document accompanying the city's tentative  
 284 budget or, if an amendment to the city's budget includes or is based on an intended transfer, in  
 285 a separate section or document accompanying the amendment to the city's budget:

286 (i) the enterprise fund from which money is intended to be transferred; and

287 (ii) the specific enterprise fund information for that enterprise fund;

288 (c) provide notice of an enterprise fund hearing, as required in Subsection (4); and

289 (d) hold an enterprise fund hearing before the adoption of the city's budget or, if  
 290 applicable, the amendment to the budget.

291 (4) (a) At least seven days before holding an enterprise fund hearing, a governing body  
 292 shall:

293 (i) provide the notice described in Subsection (4)(b) by:

294 (A) mailing a copy of the notice to users of the goods or services provided by the  
 295 enterprise for which the enterprise fund was created ~~§~~, if the city regularly mails users a  
 295a periodic billing for the goods or services ~~←~~§ ;

295b ~~§~~ (B) emailing a copy of the notice to users of the good or services provided by the  
 295c enterprise for which the enterprise fund was created, if the city regularly emails users a  
 295d periodic billing for the goods or services; ~~←~~§

296 ~~§~~ (C) ~~←~~§ posting the notice on the Utah Public Notice Website created in Section  
 296a [63F-1-701](#);

297 and

298 ~~§~~ (D) ~~←~~§ if the city has a website, prominently posting the notice on the city's  
 298a website until  
 299 the enterprise fund hearing is concluded; and

300 (ii) if the city communicates with the public through a social media platform, publish  
 301 notice of the date, time, place, and purpose of the enterprise fund hearing using the social  
 302 media platform.

303 (b) The notice required under Subsection (4)(a)(i) shall:

304 (i) explain the intended transfer of enterprise fund money to another fund;

- 305 (ii) include specific enterprise fund information for each enterprise fund from which  
 306 money is intended to be transferred;
- 307 (iii) provide the date, time, and place of the enterprise fund hearing; and  
 308 (iv) explain the purpose of the enterprise fund hearing.
- 309 (5) (a) An enterprise fund hearing shall be separate and independent from a budget  
 310 hearing and any other public hearing.
- 311 (b) At an enterprise fund hearing, the governing body shall:
- 312 (i) explain the intended transfer of enterprise fund money to another fund;  
 313 (ii) provide enterprise fund accounting data to the public; and  
 314 (iii) allow members of the public in attendance at the hearing to comment on:
- 315 (A) the intended transfer of enterprise fund money to another fund; and  
 316 (B) the enterprise fund accounting data.
- 317 (6) (a) If a governing body adopts a budget or a budget amendment that includes or is  
 318 based on a transfer of money from an enterprise fund to another fund, the governing body shall:
- 319 (i) within 60 days after adopting the budget or budget amendment ~~§~~ [i] : ~~§~~  
 319a **~~§~~ → (A) ~~←~~ ~~§~~ mail ~~§~~ → a notice ~~←~~ ~~§~~ to users of the**  
 320 **goods or services provided by the enterprise for which the enterprise fund was created ~~§~~ → [a notice**  
 321 **that:**
- 322 ~~—— (A) announces the adoption of a budget or budget amendment that includes or is based~~  
 323 ~~on a transfer of money from an enterprise fund to another fund; and~~
- 324 ~~—— (B) includes the specific enterprise fund information;]~~ , if the city regularly mails users a  
 324a **periodic billing for the goods or services; and ~~←~~ ~~§~~**
- 324b **~~§~~ → (B) email a notice to users of the goods or services provided by the enterprise for which**  
 324c **the enterprise fund was created, if the city regularly emails users a periodic billing for the**  
 324d **goods or services; ~~←~~ ~~§~~**
- 325 (ii) within seven days after adopting the budget or budget amendment:
- 326 (A) post enterprise fund accounting data on the city's website, if the city has a website;  
 327 (B) using the city's social ~~§~~ → [media] media ~~←~~ ~~§~~ platform, publish notice of the adoption
- 327a of a budget or  
 328 budget amendment that includes or is based on a transfer of money from an enterprise fund to  
 329 another fund, if the city communicates with the public through a social media platform; and
- 330 (iii) within 30 days after adopting the budget, submit to the state auditor the specific  
 331 enterprise fund information for each enterprise fund from which money will be transferred.
- 331a **~~§~~ → (b) A notice required under Subsection (6)(a)(i) shall: ~~←~~ ~~§~~**

- 331b **§→** (i) announce the adoption of a budget or budget amendment that includes or is based on  
331c a transfer of money from an enterprise fund to another fund; and ←**§**
- 331d **§→** (ii) include the specific enterprise fund information. ←**§**
- 332 **§→** [~~(b)~~] (c) ←**§** The governing body shall maintain the website posting required under  
332a Subsection  
333 (6)(a)(ii)(A) continuously until another posting is required under Subsection (4)(a)(i)(C).